

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

NEW BALANCE ATHLETIC SHOE, INC.,

Plaintiff,

v.

M/V "HAMMONIA EXPRESS", her engines,
boilers, tackle, etc., in rem, Hapag-Lloyd
Aktiengesellschaft, and American President
Lines, Ltd., in personam,

Defendants.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

08 CV 6386

JUDGE DANIELS

TO: (Name and address of defendant)

Hapag-Lloyd Aktiengesellschaft, c/o Hapag-Lloyd America, Inc.
One Edgewater Plaza, Staten Island, New York 10305

American President Lines, Ltd. - 100 Central Avenue, Building 40C,
South Kearny, New Jersey 07032

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

HILL RIVKINS & HAYDEN LLP
45 Broadway, Suite 1500
New York, New York 10006

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

Constance Lapsley

(BY) DEPUTY CLERK

DATE

JUL 11 2008

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

RETURN OF SERVICEService of the Summons and Complaint was made by me¹

DATE

NAME OF SERVER (PRINT)

TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Form 27 - GENERAL PURPOSE

HILL RIVKINS & HAYDEN LLP

ATTN:

U.S. DIST. SOUTHERN COURT NEW YORK COUNTY

NEW BALANCE ATHLETIC SHOE, INC. plaintiff

- against -

M/V "HAMMONIA EXPRESS", HER ENGINES, defendant
BOILERS, TCKLE, ETC. ETAL

Index No. 08 CV 6386

Date Filed

Office No. 29795-TEW

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

DANIEL KNIGHT being duly sworn, deposes and says:
I am over 18 years of age, not a party to this action, and reside in the
State of New York.

That on the 28th day of July, 2008 at 03:28 PM., at
1085 MORRIS AVENUE SUITE 200
UNION, NJ 07083

I served a true copy of the
SUMMONS AND COMPLAINT
7.1 STATEMENT INDIVIDUAL JUDGES RULES
AND NOTICE OF INITIAL PRETRIAL CONFERENCE

Upon AMERICAN PRESIDENT LINES, LTD., IN PERSONAM
the DEFENDANT therein named,
by delivering to, and leaving personally with
MARY LA MARCA, SALES ADMINISTRATOR & MANAGING AGENT

a true copy of each thereof.

Deponent describes the person served as aforesaid to the best of deponent's
ability at the time and circumstances of the aforesaid service as follows:

| | | |
|--------------|--------------|--------------|
| SEX: FEMALE | COLOR: WHITE | HAIR: BROWN |
| APP. AGE: 34 | APP. HT: 5:7 | APP. WT: 140 |

OTHER IDENTIFYING FEATURES:

Sworn to before me this
28th day of July, 2008ni

JOEL GOLUB
Notary Public, State of New York
No. 01604751136
Qualified in NASSAU COUNTY
Commission Expires 12/31/2009

DANIEL KNIGHT
AETNA CENTRAL JUDICIAL SERVICES
225 BROADWAY, SUITE 1802
NEW YORK, NY, 10007
Reference No: 7HRL0M140593